

EXHIBIT NO. 1  
**LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.**  
*Attorneys & Counsellors at Law*  
**524 KING STREET**  
**ALEXANDRIA, VA 22314**

41  
6-14-03

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ALEXANDRIA, VIRGINIA 22320-0888

June 6, 2003

Eileen Fogarty, Director  
Planning & Zoning  
City Hall, Room 2100  
Alexandria, VA 22314



In Re: Rezoning #2002-004, Duke Street & North Quaker Lane  
Tax Map # 061.00 04 11, 12 & 13

Dear Ms. Fogarty:

I am writing on behalf of our client John D. Luria, Jade Development Group, to request that Staff defer consideration of the above referenced item from the June 14, 2003 City Council Public Hearing until the Council's September 13, 2003 Public Hearing.

The deferral is requested in order that request for the rezoning can be heard concurrently with the appeal of Development Site Plan #2002-0032. The Rezoning application is a request to remove existing proffers limiting the use of the property to a commercial office building and to substitute a new proffer for a residential development. The proffered development plan is the subject of the Development Site Plan #2002-0032 appeal.

At the Planning Commission Public Hearing it was apparent that the major issue in connection with the denial of the Rezoning and the Development Site Plan was the safety of the existing conditions and proposed conditions at the Duke and North Quaker Lane intersection. It is our intent to work diligently with Staff through out the summer to determine ways to improve the existing and proposed conditions. The applicant is confident that a solution to the safety issues can be resolved.

Thank you for your assistance and cooperation in this.

Very truly yours,

Duncan W. Blair

cc: John Luria  
Paul Wilder

LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.

*Attorneys & Counsellors at Law*

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June 4, 2003

Jacqueline Henderson  
City Clerk and Clerk of the City Council  
City Hall  
Alexandria, Virginia 22314



**In Re: Development Site Plan #2002-0032**  
**Duke Street and North Quaker Lane**  
**Tax Map 061.00 04 11, 12, 13**  
**Docket Item 18B, Planning Commission Public Hearing June 3, 2003**

Dear Ms. Henderson:

I am writing on behalf of our client John D. Luria of Jade Development Group to appeal, pursuant to the provisions of Section 11-409(A) of the Code of the City of Alexandria Zoning Ordinance, 1992, as amended (the "Ordinance"), the June 3, 2003 decision of the Alexandria Planning Commission denying approval of the above reference Development Site Plan. At the conclusion of last night's public hearing the Planning Commission adopted the motion denying the application but did not state its reasons for denial, as required under the terms of the Ordinance. The Preliminary Development Site Plan filed and reviewed by the City of Alexandria is in total conformance with the requirements of Section 11-400 *et seq.* of the Ordinance. The Staff Report, prepared for the Planning Commission Public Hearing, recommended approval and stated the proposed project complied with the requirements of the Ordinance for the approval of site plans.

Given the fact that the Planning Commission Public Hearing occurred only last night, the applicant has yet to receive a written statement of the reasons for the Planning Commission's denial of the application, nor has he received two copies of the site plan returned to him with the date of the approval or disapproval noted thereon, as required by the Ordinance. I am confident that these requirements will be satisfied in advance of the City Council Public Hearing. We reserve, however, the right to supplement this letter with additional basis for appeal once the reasoning of the Planning Commission is available.

On behalf of our client we respectfully request that this item be scheduled for the June 14, 2003 City Council Public Hearing. This item is a companion items with the

Jacqueline Henderson  
City Clerk and Clerk of the City Council  
June 4, 2003  
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Rezoning #2002-004, which was also denied by the Planning Commission and will be heard by the City Council on June 14, 2003. The rezoning approval requests the removal of a 1981 proffer condition to the existing zoning of the property which restricts the use and development of the site as a commercial office building. The requested amendment is to substitute the residential plan of development as designed in the denied Development Site Plan as a proffer amendment.

If you have any questions or require further information regarding this matter, please do not hesitate to call.

Very truly yours,

A handwritten signature in black ink, appearing to read "Duncan W. Blair", written in a cursive style.

Duncan W. Blair

cc: John Luria  
Dave Webster  
Paul Wilder  
Eileen Fogarty

IAN  
DAVIS

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APPLICATION FOR:

~~+~~ ~~+~~ ~~MASTER PLAN AMENDMENT~~  
**[X] ZONING MAP AMENDMENT**

~~MPA #~~  
**REZ # 2002-0004**

**PROJECT NAME: Quaker Commons**

**PROPERTY LOCATION: Duke Street and North Quaker Lane**

**APPLICANT Name: Jon D. Luria**  
**Jade Development Company**  
**Address: 8230 Old Courthouse Road, Suite 205 Vienna, VA 22182**

**PROPERTY OWNER Name: William Dwyer Richard Dwyer**  
**Address: 3220 Duke Street 1615 N. First Street**  
**Alexandria, VA 22314 Alexandria, VA 22304**

Interest in property: ☐ Owner ☒ Contract Purchaser  
☐ Developer ☐ Lessee ☐ Other \_\_\_\_\_

If property owner or applicant is being represented by an authorized agent such as an attorney, a realtor, or other person for which there is some form of compensation, does this agent or the business in which they are employed have a business license to operate in Alexandria, VA:

☒ yes: If yes, provide proof of current City business license.

☐ no: If no, said agent shall obtain a business license prior to filing application.

**THE UNDERSIGNED** certifies that the information supplied for this application is complete and accurate, and, pursuant to Section 11-301B of the Zoning Ordinance, hereby grants permission to the City of Alexandria, Virginia, to post placard notice on the property which is the subject of this application.

**Land, Clark, Carroll, Mendelson & Blair, P.C.**

**By: Duncan W. Blair, Esquire**

Print Name of Applicant or Agent



Signature

**524 King Street**  
Mailing/Street Address

**(703) 836-1000**  
Telephone #

**(703) 549-3335**  
Fax #

**Email: dblair@landclark.com**

**Alexandria, Virginia 22314**  
City and State Zip Code

**September 24, 2002**  
Date

=====

**FOR CITY STAFF USE ONLY:**

Date application received: 9-24-02 Fee Paid: \$ see DSP#  
Date application complete: \_\_\_\_\_ Staff Reviewer: \_\_\_\_\_

**ACTION - PLANNING COMMISSION: RECOMMEND DENIAL 6 TO 1 (Applicant has requested that this item be deferred to September 1.**

**ACTION - CITY COUNCIL: 6/14/03PH--CC noted the deferral.**

QUAKER COMMONS